

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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| GERTRUDE NEUMARK ROTHSCHILD, | : |
| | : |
| | : No. 05-CV-5939 (WGY) |
| Plaintiff, | : |
| | : |
| v. | : |
| | : |
| CREE, INC. | : |
| | : |
| Defendant. | : |
| | : |
| ----- | x |

**NOTICE OF MOTION AND JOINT MOTION TO TRANSFER VENUE
TO THE DISTRICT OF MASSACHUSETTS**

PLEASE TAKE NOTICE that, pursuant to 28 U.S.C. § 1404(a), Plaintiff Gertrude Neumark Rothschild and Defendant Cree, Inc. will move this Court before the Honorable William G. Young, United States District Judge, District of Massachusetts, sitting by designation in the Southern District of New York, at a date and time to be determined by the Court, for an Order transferring the above-captioned proceeding to Judge Young in the United States District Court for the District of Massachusetts.

The grounds upon which this motion is based are set forth in the annexed Memorandum in Support of Joint Motion to Transfer Venue to the District of Massachusetts, and upon all the pleadings and prior proceedings heretofore had herein.

Dated: January 15, 2010

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Dated: January 15, 2010

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